

EXHIBIT D

Dkt. 11552

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W. R. GRACE & CO., <i>et al.</i> , ¹)	Case No. 01-01139 (JKF)
)	Jointly Administered
Debtors.)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON JANUARY 24, 2006, AT 9:00 A.M., JANUARY 25, 2006
AT 1:30 P.M. AND JANUARY 26, 2006 AT 9:00 A.M. IN PITTSBURGH,
PENNSYLVANIA BEFORE THE HONORABLE JUDITH K. FITZGERALD**

**PARTIES WISHING TO PARTICIPATE TELEPHONICALLY SHOULD COMPLY WITH
THE AMENDED ORDER ESTABLISHING CASE MANAGEMENT PROCEDURES AND
HEARING SCHEDULE [Docket No. 7709]**

**1. Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage
Claims [Filed: 9/1/05] (Docket No. 9315)**

Related Documents:

- A. Various Responses. See below with respect to each Claim.
- B. Debtors' Reply Brief in Support of Fifteenth Omnibus Objection to Claims (Substantive) [Filed 12/22/2005] (Docket No. 11428)
- C. Various Sur-Replies (to be filed by January 20, 2006 at 12 p.m.)

¹ The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Ciceo Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc.), E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

- D. Modified Scheduling Order Regarding Certain of Debtors' Fifteenth Omnibus Objections to Claims (Substantive) [Filed: 12/22/05] (Docket No. 11408)
- E. Notice of Modification of Hearing Dates and Schedules of Objections to be Heard Regarding Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 1/6/06] (Docket No. 11503)

Consistent with the Scheduling Order dated December 22, 2005 (Docket No. 11408), the specific objections from the Debtors' 15th Omnibus Objection to be heard are as follows:

I. TRADITIONAL PD CLAIMS, OTHER THAN SPEIGHTS & RUNYAN CLAIMS
(7 Claims – To be heard January 24, 2006)

A. Motley Rice Clients (3 claims: B-2², previously settled)

Church of St. Joseph

- i. Claim No. 4075³
- ii. Claimant Church of St. Joseph Response to Debtors' Objections (Claim No. 4075) [Filed: 10/21/05] (Docket No. 9858)

Church of St. Luke

- iii. Claim No. 6934
- iv. Claimant the Church of St. Luke Response to Debtors' Objections (Claim No. 6934) [Filed: 10/21/05] (Docket No. 9868)

Church of St. Leo the Great

- v. Claim No. 6935
- vi. Claimant Church of St. Leo the Great Response to Debtors' Objection (Claim No. 6936) [Filed: 10/21/05] (Docket No. 9864)

B. The Prudential Insurance Company of America (2 claims: D-4, Georgia, actual notice and D-2, Georgia constructive notice)

- i. Claim No. 6945
- ii. Claim No. 6948
- iii. Response of the Prudential Insurance Company of America to the Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims as it Related to Damage at: (1) Century Center I (Claim No. 6945) (2) Century Center IV (Claim No. 6948); (3) Brookhollow (Claim No. 6949); (4) First Florida Tower (Claim No. 6951); (5) Northwest Financial Center (Claim No. 6947); (6) Short Hills Office

² All Exhibit references are references to the Exhibits attached to the Fifteenth Omnibus Objection and the substantive categories of Objections outlined therein.

³ All pleadings are included in the Hearing Binder. All claims referenced in this Agenda are included in separate Claims Binders. Voluminous exhibits to claims have been omitted from the claims binder but are available upon request.

Building (Claim No. 6952); (7) Southdale Office Complex (Claim No. 6946); and (8) 1100 Milam (Claim No. 6950) [Filed 10/24/06] (Docket No. 10571)

C. Individual Pro se Claimants

Phillip Shawn Moore, C-1(c), missing basic information

- i. Claim No. 14400
- ii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/24/05] (Docket No. 10570)

Marcella Paulette, C-3(a), no product ID

- iii. Claim No. 15352
- iv. Letter Response of Marcella M. Paulette [Filed 10/27/05] (Docket No. 10916)

II. NON-TRADITIONAL PD CLAIMS (110 Claims – To be heard January 24, 2006)

A. Biersdorf & Associates' Clients

54 claims: G-1, "Stigma" to Minneapolis properties

- i. *Exemplar:*⁴ Claim No. 11349
- ii. Northeast Minneapolis Residents' Response to Debtors' Fifteenth Omnibus Objection to Claims [Filed: 10/25/05] (Docket No. 10834)

1 claim: C-1(b), no signature

- iii. Claim No. 11337
- iv. Northeast Minneapolis Residents' Response to Debtors' Fifteenth Omnibus Objection to Claims [Filed: 10/25/05] (Docket No. 10834)

B. G-I Holdings/GAF Corporation

56 claims: H-1, contribution and indemnification, and C-3(a), no product ID, and C-1(c), missing basic information

- i. *Exemplar:* Claim No. 7825
- ii. Response of G-I Holdings Inc., Successor-in-Interest to GAF Corporation, and Its Affiliated Entities to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims as it Relates to Claim Nos. 7825-7829, 7831-7832, 7836-7864, and 7866-7885 [Filed: 10/24/05] (Docket No. 10656)

⁴ Due to the volume of materials, exemplars have been provided where claims and responses are substantially similar. However, all claims and responses are available upon request and will be accessible at the hearing.

III. TRADITIONAL PD CLAIMS, SPEIGHTS & RUNYAN

(To be heard January 24, 25 and 26, 2006)

A. Unauthorized Claims (per 13th omnibus objection)

38 claims, no proof of authority to file

71 claims, no proof of authority to file as of Bar Date

- i. Debtors' Thirteenth Omnibus Objection to 2,937 Unauthorized Claims Filed By the Law Firm Speights & Runyan (Substantive) [Filed: 9/1/05] (Docket No. 9311)
- ii. Response of Speights & Runyan to Debtors' Thirteenth Omnibus Objection [Filed: 10/7/05] (Docket No. 9607)
- iii. Modified Scheduling Order Regarding Certain of Debtors' Fifteenth Omnibus Objections to Claims (Substantive) [Filed: 12/22/05] (Docket No. 11408)
- iv. Notice of Modification of Hearing Dates and Schedules of Objections to be Heard Regarding Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 1/6/06] (Docket No. 11503)

B. Previously Adjudicated Claims, 3 claims; Objection B-1:

- i. Claim No. 10887
- ii. Claim No. 10888
- iii. Claim No. 11579
- iv. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/25/05] (Docket No. 10740)

C. Previously Settled Claims, 4 claims; Objection B-2:

- i. Claim No. 11234
- ii. Claim No. 10990
- iii. Claim No. 12299
- iv. Claim No. 12355
- v. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/25/05] (Docket No. 10740)

D. Missing Basic Property Address, 2 claims; Objection C-1(a):

- i. Claim No. 11253
- ii. Claim No. 11612
- iii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/21/05] (Docket No. 10000)

E. No Signature, 41 claims; Objection C-1(b):

- i. *Exemplar*: Claim No. 12465
- ii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/21/05] (Docket No. 10000)

F. Missing Basic Information, 1 claim, Objection C-1(c):

- i. Claim No. 12433
- ii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/21/05] (Docket No. 10000)

G. No Product ID

2 claims, Objection C-3(a)

372 claims, Objection C-3(c)

- i. *Exemplar*: Claim No. 12415
- ii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/21/05] (Docket No. 10000)

H. Built Too Late To Contain MK-3, 2 claims, Objection D-1(a):

- i. Claim No. 9908
- ii. Claim No. 15497
- iii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/25/05] (Docket No. 10734)

I. Georgia Claims Barred By Constructive Notice, 1 Claim, Objection D-2:

- i. Claim No. 11550
- ii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/24/05] (Docket No. 10620)

J. Tennessee Claims Barred By Statute of Repose, 2 claims, Objection D-5:

- i. Claim No. 10533
- ii. Claim No. 11722
- iii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/22/05] (Docket No. 10111)

K. Falsely Assert 2003 As Date Of Knowledge Of Asbestos, 619 claims, Objection F-2:

- i. *Exemplar*: Claim No. 9840
- ii. Response to Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 10/21/05] (Docket No. 10000)

2. **Motion of Anderson Memorial Hospital for Class Certification [Filed: 10/21/05]
(Docket No. 10014) (To heard January 26, 2006 at 9:00 a.m.)**

Related Documents:

- a. [Proposed] Order Granting the Motion of Anderson Memorial Hospital for Class Certification [Filed: 10/21/05] (Docket No. 10014)

Response Deadline: December 2, 2005 at 4:00 p.m.

Responses Received:

- a. Debtors' Brief in Opposition to Motion of Anderson Memorial Hospital for Class Certification [Filed: 12/2/05] (Docket No. 11245)

Supplemental Briefing:

- a. Debtors' Brief Describing the Purpose that Publication Notice Served in the Debtors' Bar Date Notice Program [Filed: 1/13/06] (Docket No. 11547)

Response Deadline: January 20, 2006

Status: This matter will be going forward.

Dated: January 17, 2006

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-and-

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W. R. GRACE & CO., <u>et al.</u> ,)	Case No. 01-01139 (JKF)
)	Jointly Administered
Debtors.)	

CERTIFICATE OF SERVICE

I, James E. O'Neill, hereby certify that on the 17 day of January, 2006, I caused a copy of the following document to be served on the individuals on the attached service list(s) in the manner indicated:

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON
JANUARY 24, 2006, AT 9:00 A.M., JANUARY 25, 2006 AT 1:30 P.M. AND
JANUARY 26, 2006 AT 9:00 A.M. IN PITTSBURGH, PENNSYLVANIA
BEFORE THE HONORABLE JUDITH K. FITZGERALD.**


James E. O'Neill (DE Bar No. 4042)

Grace Agenda Notice Service List for
1/24/06 Hearing
Case No. 01-1139 (JKF)
January 17, 2006
Document # 114371
01 – First Class Mail
52 -- Facsimile

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